

Message Text

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C O R R E C T E D C O P Y (MRN 13517 VICE 3517)

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SUBJECT: 31ST SESSION OF THE SUBCOMMISSION ON PREVENTION
OF DISCRIMINATION AND PROTECTION OF MINORITIES

1. THE SUB-COMMISSION CONSIDERED ITEMS 8 AND 7, RESPEC-
TIVELY, DURING MORNING AND AFTERNOON MEETINGS, SEPTEMBER 6,
CONCLUDING DEBATE A.M. SEPTEMBER 7. IMPLEMENTATION OF
UNITED NATIONS RESOLUTIONS RELATING TO THE RIGHT OF PEOPLES
UNDER...ALIEN DOMINATION TO SELF-DETERMINATION (DOCUMENT
E/CN.4/SUB.2/405 VOLUMES I AND II) WAS INTRODUCED BY
SPECIAL RAPPORTEUR HECTOR GROS ESPIELL (URUGUAY). HE
RECALLED THAT THE HRC HAD REQUESTED FURTHER STUDY ON THE
QUESTION OF FOREIGN OCCUPATION AND THE EXERCISE OF THE
RIGHT TO SELF-DETERMINATION INCLUDING THE ISSUE OF THE
HUMAN RIGHTS OF MINORITIES AS THEY RELATED TO THE EXERCISE
OF THE RIGHT TO SELF-DETERMINATION. GROS ESPIELL SAID
THAT THE THEORETICAL PRESUPPOSITIONS OF THE STUDY
WERE: THE RIGHT TO SELF-DETERMINATION WAS NOT A RIGHT
BASED EXCLUSIVELY ON POLITICAL CONSIDERATION. IT WAS
MULTIPLE, COMPLEX AND PERMANENT IN CHARACTER. SELF-DETER-
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MINATION HAD A PERMANENT ECONOMIC CONTENT SINCE WITHOUT IT
POLITICAL SELF-DETERMINATION MIGHT BE WITHOUT MEANING.
EACH PEOPLE, GROS ESPIELL SAID, HAD THE RIGHT TO CHOOSE
THE ECONOMIC SYSTEM SUITED TO ITS TRADITIONS. HE ADDED
THAT TODAY SELF-DETERMINATION INCLUDED THE RIGHTS OF
THE INDIVIDUAL WHICH MEANS THE RIGHT TO FIGHT FOR SELF-
DETERMINATION IF OCCUPIED BY FOREIGN POWERS.

2. IN CONCLUDING HIS STATEMENT, THE SPECIAL RAPPOREUR CALLED FOR THE GENERAL ASSEMBLY TO ADOPT A DECLARATORY RESOLUTION WHICH WOULD SYSTEMATIZE, CODIFY AND UPDATE ALL ISSUES RELATING TO THE RIGHT OF PEOPLES UNDER ALIEN DOMINATION TO SELF-DETERMINATION.

3. THE HISTORICAL AND CURRENT DEVELOPMENT OF THE RIGHT TO SELF-DETERMINATION OF THE UNITED NATIONS CHARTER...AND INSTRUMENTS ADOPTED BY THE UNITED NATIONS....(DOCUMENT E/CN.4/SUB.2/404, VOLUMES I, II AND III) WAS PRESENTED BY THE AUTHOR, SPECIAL RAPPOREUR AURELIU CRISTESCU. NOTING THAT COLONIALISM WAS DEAD, CRISTESCU DECLARED THAT IMPERIALISM WAS STILL ALIVE AND WELL. NEWLY INDEPENDENT COUNTRIES HAVE TO FIGHT AGAINST NEO-COLONIALISM AND ECONOMIC COERSION. THE RAPPOREUR ALSO INCLUDED THE USE OF MERCENARIES AS A NEO-COLONIALIST TOOL USED TO UNDERMINE THE POLITICAL SITUATION OF A COUNTRY. THE RESPECT FOR THE RIGHT TO SELF-DETERMINATION WAS, THE BASIS FOR FRIENDLY RELATIONS AMONG NATIONS. WITHOUT SUCH RESPECT, ACCORDING TO CRISTESCU, SECURITY IS THREATENED AND HUMAN RIGHTS VIOLATED. THE RAPPOREUR ALSO CALLED FOR RULES AND ACTION PROGRAMS WHICH WOULD LEAD TO THE ESTABLISHMENT OF THE NEW INTERNATIONAL ECONOMIC ORDER. HE STATED THAT THE INDUSTRIALIZED STATES MUST COOPERATE IN SECURING SOCIAL AND ECONOMIC PROGRESS IN DEVELOPING COUNTRIES.

4. CRISTESCU'S CONCLUSIONS STRESSED THE IMPORTANCE OF THE UNCLASSIFIED

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RIGHTS OF PEOPLES TO SELF-DETERMINATION AND ITS INFLUENCE ON INTERNATIONAL RELATIONS. HE CALLED ON THE UNITED NATIONS TO WORK TOWARD THE ELIMINATION OF ALL FORMS OF COLONIALISM AND FOREIGN DOMINATION.

5. EXPERTS PASSED OUT ACCOLADES TO BOTH SPECIAL RAPPOREURS FOR THE WORK IN PREPARING THE TWO STUDIES AND URGED THAT THEY BE PUBLISHED AND GIVEN WIDE CIRCULATION. WALEED SADI (JORDAN) PROPOSED COMBINING THE STUDIES INTO ONE VOLUME. THIS RECOMMENDATION WAS OPPOSED BY SINGHVI (INDIA) WHO, WHILE AGREEING THAT THE STUDIES DEALT WITH THE SAME ISSUES, POINTED OUT THAT THERE WERE SUBTLE DIFFERENCES WHICH PRECLUDED THEIR BEING BLENDED TOGETHER AS A SINGLE DOCUMENT.

6. BARNEV (BULGARIA) INTRODUCED THE PALESTINE ISSUE AS THE MOST CRUCIAL PROBLEM ON SELF-DETERMINATION TODAY, AND NOTED THAT NO SOLUTION WAS IN SIGHT. THE USSR, WHO DEALS ONLY WITH THE ISSUE OF SELF-DETERMINATION IN THE S-C, RECOMMENDED INCORPORATING THE DECLARATION OF THE WORLD CONFERENCE TO COMBAT RACISM INTO THE GROS ESPIELL AND CRISTESCU DOCUMENTS. DAES OF GREECE PROPOSED TURNING THE STUDIES INTO

INTERNATIONAL INSTRUMENTS. CARTER (U.S.) CONGRATULATED BOTH RAPORTEURS ON THEIR HIGHLY PROFESSIONAL STUDIES AND ALSO COMMENTED THAT HE WAS PLEASED TO SEE THE CYCLE COMPLETED.

7. IN THEIR FINAL COMMENTS THE RAPORTEURS STRONGLY REJECTED THE IDEA OF MERGING THE TWO STUDIES. NOTING THE SHADES OF DIFFERENCE, THEY POINTED OUT THAT THE DOCUMENTS WERE TWO SEPARATE AND DISTINCT PAPERS. CRISTESCU CONCLUDED DEBATE ON THIS ITEM BY RECOMMENDING THAT THE UN CHARTER BE UPDATED SO THAT IT IS IN CONFORMITY WITH CURRENT SITUATIONS REGARDING SELF-DETERMINATION. VANDEN HEUVEL

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